

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, and )  
UNITED STATES POSTAL SERVICE, )

Plaintiffs/Stakeholders, )

-against- )

ABCON ASSOCIATES, INC., )  
THE ROSLYN SAVINGS BANK, )  
GOLDBERG & CONNOLLY, )  
HI-LUME CORPORATION, )  
ST. VINCENT'S CATHOLIC MEDICAL )  
CENTERS OF NEW YORK, )  
KAMCO SUPPLY CORPORATION, )  
HAAS & NAJARIAN, LLP, )  
UNITED STATES FIDELITY & )  
GUARANTY COMPANY, )  
LOVETT SILVERMAN, and )  
HSBC USA INC., )

Defendants/Claimants. )

**Courtesy Copy**

The original was:

Filed in hard copy.

✓ Electronically filed.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 30 2005 ★

LONG ISLAND OFFICE

**ORDER**  
**CV 05 3178**

CIVIL ACTION NO.

**WEXLER, J.**

**LINDSAY, M.**

Before the Court in this interpleader action pursuant to Fed. R. Civ. P. 22 is the motion of plaintiffs, the United States of America and the United States Postal Service, for the Court to issue a summons to each of defendants named in the caption requiring each of them to appear and interplead herein in connection with their rights and claims as to the award proceeds in controversy. Plaintiffs further seek leave to deposit with the registry of the Clerk of Court funds in the sum of \$2,405,150.32, on the ground that plaintiffs are mere stakeholders herein. They also seek leave to deposit with the registry of the Clerk of Court the listed sum until this action has been adjudicated and closed.

This Court, having considered the motion of plaintiffs, and the Court being fully advised in the premises, and good cause appearing therefor based on the Complaint in this action

and the Memorandum of Law in support of plaintiffs' motion, finds that such motion should be GRANTED as requested. Therefore,

IT IS HEREBY ORDERED, as follows:

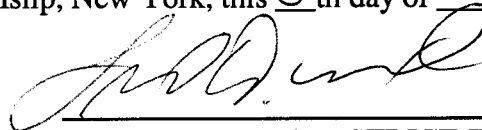
1. The Clerk of the Court shall issue a summons to each of defendants named in the above caption, or to their attorney or registered agent, requiring each of said defendants to appear and interplead herein in connection with his, her, their, or its rights and claims as to the award proceeds in controversy.

2. Each summons shall be returnable not later than twenty (20) days after the time of service, and shall be addressed to and served on each of defendants named in the above caption in accordance with the Federal Rules of Civil Procedure.

3. Pursuant to Rule 67 of the Federal Rules of Civil Procedure and Local Civil Rule 67.1 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, plaintiffs shall deposit with the registry of the Clerk of the Court, funds in the sum of \$2,405,150.32, representing the amount of the award proceeds in controversy.

4. With regard to all funds deposited with the registry of the Clerk of the Court pursuant to the preceding paragraph, the Clerk shall invest such funds in an interest-bearing account or other instrument, wherein such funds shall remain to abide the outcome of this action. The Clerk shall deduct from the income on the investment a fee equal to ten per cent (10%) of the income earned, but not exceeding the fee authorized by the Judicial Conference of the United States and set by the Administrative Office.

It is SO ORDERED at Central Islip, New York, this 5th day of July, 2005.



UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK